

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION

SEP 08 2011

JULIA C. DUDLEY, CLERK
BY: 
DEPUTY CLERK

DONNA GRIFFITH,

Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

)
)
) Civil Action No. 5:11cv00011
)
)

) By: Michael F. Urbanski
) United States District Judge
)
)

ORDER

This matter was referred to the Honorable B. Waugh Crigler, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b)(1)(B) for proposed findings of fact and a recommended disposition. The Magistrate Judge filed a report and recommendation on August 17, 2011 recommending that plaintiff's motion for summary judgment be granted, the Commissioner's motion for summary judgment be denied and this case be remanded to the Commissioner for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g). No objections to the report and recommendation have been filed, and the court is of the opinion that the report and recommendation should be adopted.

It is accordingly **ORDERED** as follows:

1. The August 17, 2011 report and recommendation is **ADOPTED** in its entirety;
2. Plaintiff's motion for summary judgment (Docket #12) is **GRANTED**;
3. The Commissioner's motion for summary judgment (Docket #14) is **DENIED**;
4. This case is **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g) for further consideration consistent with the report and recommendation; and
5. This matter is **STRICKEN** from the active docket of the court.

The Clerk is directed to send a certified copy of this Order to all counsel of record.

Entered: September 8, 2011

/s/ Michael F. Urbanski

Michael F. Urbanski
United States District Judge